

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM E. SMITH,

Defendant.

**4:04CR3150**

**MEMORANDUM AND ORDER**

This matter is before the Court on the defendant's motion for leave to proceed in forma pauperis. ([Filing No. 103](#)). In 2005, the defendant pleaded guilty to Count I of an indictment charging him with violating 21 U.S.C. § 841(a)(1) and 21 U.S.C. § 841 (b)(1)(B). Part of the Court's amended judgment was a five-year term of supervised release. ([Filing No. 32](#)). Just over three years after the Court entered the amended judgment, it found that the defendant violated a mandatory term of supervised release and sentenced him to a twenty-four-month term of imprisonment, to run consecutive to a state court sentence in the District Court of Lancaster County, Nebraska, Case No. CR 08 0001249. ([Filing No. 81](#)). Now, fourteen years later, the defendant asks the Court to alter or amend that judgment. ([Filing No. 102](#)).

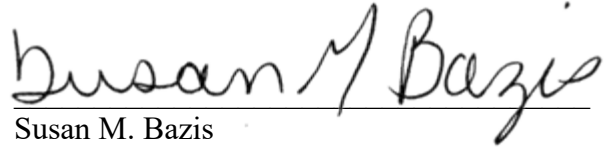
The Court will deny the motion for leave to proceed in forma pauperis for two reasons. First, there is no filing fee associated with the defendant's motion to alter or amend. *See* 28 U.S.C. § 1914. And second, even if there were some filing fees to be assessed here, the records before the Court suggest the defendant has the means to pay them. ([Filing No. 105](#)). Accordingly,

**IT IS ORDERED:**

1. The defendant's motion for leave to proceed in forma pauperis ([Filing No. 103](#)) is denied.

Dated this 12th day of September, 2024.

BY THE COURT:

A handwritten signature in black ink, reading "Susan M. Bazis". The signature is written in a cursive style with a horizontal line underneath the name.

Susan M. Bazis  
United States District Judge